

IN THE UNITED STATES DISTRICT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

ANGELA M. FOSTER)
)
Plaintiff,)
)
v.) Case No. 03-965-CV-W-DW
)
FRIENDZ DANCE CLUB,)
INC., et al.)
)
Defendants.)

ORDER

The record reflects that Plaintiff filed the Complaint in the above-styled action on October 31, 2003 (Doc. 1). On that same date, Plaintiff executed a "Request for Waiver" on each Defendant (Docs. 2 - 5). If a defendant complies with the request for waiver of service and summons, such waiver is filed with the Court. If the defendant does not waive service and summons, it is the responsibility of the Plaintiff to take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure. Defendants in this case did not waive service and summons. Because over 120 days have passed since the Complaint was filed, the Court dismisses this case without prejudice for lack of service. See FED. R. CIV. P. 4(m).

IT IS SO ORDERED

/s/ DEAN WHIPPLE
Dean Whipple
United States District Judge

DATE: November 28, 2005